

EXHIBIT A

original

Dennis Raybould
 P.O. Box 241
 Florence, OR 97439
 (541) 997-1311

FILED

17 SEP 27 AM 10:25

COURT CLERK'S OFFICE
LANE COUNTY, OREGON

**IN THE CIRCUIT COURT FOR THE STATE OF OREGON
 IN AND FOR THE COUNTY OF LANE**

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, its successors in interest and/or assigns, Plaintiff, v. DIANE RAYBOULD; DENNIS RAYBOULD; RELIANT FINANCIAL, INC.; CITIBANK, NATIONAL ASSOCIATION Successor by Merger to Citibank (South Dakota), N.A.; DISCOVER BANK; CAPITAL ONE BANK (USA), NATIONAL ASSOCIATION; BANK OF AMERICA, NATIONAL ASSOCIATION Successor by Merger to FIA Card Services, National Association; LVNV FUNDING, LLC; AMERICAN EXPRESS BANK, FSB; and OCCUPANTS OF THE PREMISES, Defendants;

No. 15CV14566

 15CV14566
 MO
 Motion
 8037754


**VERIFIED REQUEST FOR JUDICIAL NOTICE OF PROOF OF CLAIM
 AND MOTION
 TO ALTER OR AMEND THE ORDER FOR SUMMARY JUDGMENT**

I Dennis Raybould, declare under penalty of perjury that the following is true and correct:

1. I am the Defendant in this matter. I have personal knowledge of and am competent to testify to the facts stated below:

1
**VERIFIED REQUEST FOR JUDICIAL NOTICE OF PROOF OF CLAIM AND MOTION
 TO ALTER OR AMEND THE ORDER FOR SUMMARY JUDGMENT**

2. This Request for Judicial Notice is submitted in the nature of a motion to alter or amend the Order for Summary Judgment signed by Judge Carlson on 5/8/2017.

3. I hereby certify that the attached Exhibit A is a true copy of the Proof of Claim submitted by U.S. Bank in Bankruptcy Case No. 17-61646-tmr13.

4. I respectfully request that the Court take judicial notice of the above-motioned Proof of Claim in connection with Plaintiff's Motion for Summary Judgment.

5. The above-motioned Proof of Claim document was filed into the public record on 9/6/2017 and was not available before that.

6. The above-motioned Proof of Claim document on page 3 is sworn under penalty of perjury by Josephine E. Salmon on 09/06/2017 ("I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct. I declare under penalty of perjury that the foregoing is true and correct.").

7. The above-motioned Proof of Claim document on page 4 shows "the current creditor" as "U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT."

8. The above-motioned Proof of Claim document on page 1 shows that "this claim" has been "acquired from someone else" namely "CHASE"

9. Therefore, since the creditor is U.S. Bank as trustee, and there can only be one creditor, it follows that the creditor is NOT the Plaintiff in the instant case.

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VERIFIED REQUEST FOR JUDICIAL NOTICE OF PROOF OF CLAIM AND MOTION TO ALTER OR AMEND THE ORDER FOR SUMMARY JUDGMENT

10. When a loan is securitized, the loan is typically sold into the securitization Loan Pool of the trust (such as the RMAC Trust, Series 2016-CTT) within three months of closing.
11. Therefore, contrary to its representations in this Court, the Plaintiff in the instant case has not been the owner of the loan since about the closing date of February 1, 2006.
12. It follows from the above that the Summary Judgment was fraudulently obtained by a party who did not own the loan.
13. It is not through any fault or neglect on the part of the undersigned Dennis Raybould (Defendant) that this information was not presented at Summary Judgment. Defendant Raybould asked for this information in discovery, and in response, Plaintiff JPMorgan Chase Bank, N.A. lied. Specifically, Plaintiff asked in the Amended First Request for Admissions (dated on or about 4/17/2017): "4. Admit that the Note has been securitized." (See Exhibit B.) Plaintiff's response, dated May 8, 2017, was: "DENY X." (See Exhibit C.)
14. Defendant asked in the Defendants' First Request for Production of Documents (dated February 2017): "1. Produce the original Note for inspection." (See Exhibit D.) Plaintiff's response in the Plaintiff's Responses to Defendants' First Request for Production of Documents (dated March 14, 217) was: "Plaintiff's counsel is in the process of obtaining the original Note from Plaintiff, and agrees to make it available for inspection between the parties at a mutually agreeable time and location." (See Exhibit E.)

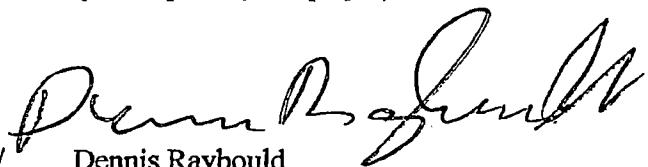
15. That was the last Defendant heard about production of the Note. The parties never agreed on a time and location. Defendant never had the opportunity to a forensic document examiner or other expert witness to examine the purported original Note.
16. At trial, Plaintiff's attorney produced four unattached pages, with no witness swearing to what they were. Defendant had no advance notice and thus had no reason to bring a forensic document examiner or other expert witness.

EXHIBIT LIST

- A... Proof of Claim submitted by U.S. Bank in Bankruptcy Case No. 17-61646-tmr13.
- B... Plaintiff's Amended First Request for Admissions (dated on or about 4/17/2017)
- C... PLAINTIFF'S RESPONSE TO DEFENDANTS' AMENDED FIRST REQUEST FOR ADMISSIONS TO PLAINTIFF JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, ISAOA
- D... DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS
- E... PLAINTIFF'S RESPONSES TO DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED: September 26, 2017



/s/ Dennis Raybould
Dennis Raybould

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**VERIFIED REQUEST FOR JUDICIAL NOTICE OF PROOF OF CLAIM AND MOTION
TO ALTER OR AMEND THE ORDER FOR SUMMARY JUDGMENT**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date last written below, a true and correct copy of the foregoing was furnished via facsimile and/or U.S. mail and/or email to:

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
c/o Casey C. Pence
c/o Dannine Consoli
ALDRIDGE PITE, LLP
111 SW Columbia St. Suite 925
Portland, OR 97201
cpence@aldridgepite.com
dconsoli@aldridgepite.com

DATED: September 26, 2017

Danyelle Raybould
/s/ Danyelle Raybould
Danyelle Raybould

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**VERIFIED REQUEST FOR JUDICIAL NOTICE OF PROOF OF CLAIM AND MOTION
TO ALTER OR AMEND THE ORDER FOR SUMMARY JUDGMENT**

EXHIBIT A

Fill in this information to identify the case:

Debtor 1	Dennis Raybould	
Debtor 2 (spouse, if filing)		
United States Bankruptcy Court for the:	District of	Oregon (State)
Case number	17-61464-tmr13	

Filed Correct Copy of Original
9/27/2017

Official Form 410

Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CIT		
	Name of the current creditor (the person or entity to be paid for this claim)		
	Other names the creditor used with the debtor		
2. Has this claim been acquired from someone else?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. From whom? CHASE		
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent?	Where should payment to the creditor be sent? (if different)	
Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Rushmore Loan Management Services Name P.O. Box 55004 Number Street Irvine CA 92619-2708 City State Zip Code Contact phone 888-504-6700 Contact email	Rushmore Loan Management Services Name P.O. Box 52708 Number Street Irvine CA 92619-2708 City State Zip Code Contact phone 888-504-6700 Contact email	
	Uniform claim identifier for electronic payments in chapter 13 (if you use one):		
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known)		
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing?		
	Filed on	MM / DD / YYYY	

Part 2 Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?

No
 Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor.

*****5251

7. How much is the claim?

\$ 362,809.11

Does this amount include interest or other charges?

No
 Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim?

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

Money Loaned

9. Is all or part of the claim secured?

No
 Yes. The claim is secured by a lien on property.

Nature of property:

Real estate If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
 Motor vehicle
 Other. Describe 88915 Bay Berry Ln, Florence, OR 97439

Basis for perfection: Mortgage/Deed of Trust

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____

Amount of the claim that is secured \$ 362,809.11

(The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount of the claim that is unsecured: \$ 0.00Amount necessary to cure any default as of the date of the petition: \$ 165,074.81Annual Interest Rate (when case was filed) 6.999 %

Fixed
 Variable

10. Is this claim based on a lease?

No

 Yes. Amount necessary to cure any default as of the date of the petition.

\$ _____

11. Is this claim subject to a right of setoff?

No

 Yes. Identify the property _____

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

No

Yes. Check all that apply:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

	Amount entitled to priority
<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
<input type="checkbox"/> Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)(_____) that applies.	\$ _____

* Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorized courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.
 I am the creditor's attorney or authorized agent.
 I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
 I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

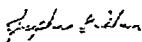
I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 09/06/2017

MM / DD / YYYY



Signature

Print the name of the person who is completing and signing this claim:

Name	<u>Josephine E. Salmon</u>		
	<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>
Title	<u>Agent for Creditor</u>		
Company	<u>Aldridge Pite, LLP</u>		
Address	<u>Identify the corporate servicer as the company if the authorized agent is a servicer.</u> <u>4375 Jutland Drive, Suite 200</u> <u>P.O. Box 17933</u>		
	<u>Number</u>	<u>Street</u>	
	<u>San Diego, CA 92177-0933</u>		
	<u>City</u>	<u>State</u>	<u>ZIP Code</u>
Contact phone	<u>(858) 750-7600</u>		Email <u>jsalmon@aldridgepite.com</u>

Mortgage Proof of Claim Attachment

(12/15)

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See separate instructions.

Part 1: Mortgage and Case Information		Part 2: Total Debt Calculation		Part 3: Arrearage as of Date of the Petition		Part 4: Monthly Mortgage Payment	
Case number 98/017- Dinaria 17-61464-tmr13	17-61464-tmr13	Principal balance: 105,158.88	221,875.98	Principal & Interest due: Prepetition fees due:	128,028.60 12,828.75	Principal & Interest: Monthly escrow:	1,580.60 254.39
Debtor 1: Dinaria Debtor 2: Last 4 digits to Identify: 3393	Dennis Raybould	Fees, costs due: Escrow deficiency for funds advanced:	12,828.75 22,945.50	Escrow deficiency for funds advanced:	22,945.00	Private mortgage Insurance:	0.00
Creditor: Verifier: Servicer: Fixed accrual/daily simple interest/other	U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT	Less total funds on hand: Total debt:	- 0.00 362,809.11	Projected escrow shortage:	1,271.96	Total monthly payment:	1,834.89

Part 5: Loan Payment History from First Date of Default

Account Activity															How Funds Were Applied/Amount Incurred		
A. Date	B. Contractual payment amount	C. Funds received	D. Amount incurred	E. Description	F. Contractual due date	G. Prin, Int & esc past due balance	H. Amount to principal	I. Amount to interest	J. Amount to escrow	K. Amount to fees or charges	L. Unapplied funds	M. Principal balance	N. Accrued interest balance	O. Escrow balance	P. Fees / balance charges	Q. Unapplied funds balance	
		See attached															

Verified Correct Copy of Original 9/28/2017.

EXHIBIT B

Dennis Raybould
P.O. Box 241
Florence, OR 97439
(541) 997-1311

- Verified Correct Copy of Original 9/28/2017.

**IN THE CIRCUIT COURT FOR THE STATE OF OREGON
IN AND FOR THE COUNTY OF LANE**

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, its successors in interest and/or
assigns,

Plaintiff,

v.

DIANE RAYBOULD; DENNIS RAYBOULD;
RELIANT FINANCIAL, INC.; CITIBANK,
NATIONAL ASSOCIATION Successor by
Merger to Citibank (South Dakota), N.A.;
DISCOVER BANK; CAPITAL ONE BANK
(USA), NATIONAL ASSOCIATION; BANK
OF AMERICA, NATIONAL ASSOCIATION
Successor by Merger to FIA Card Services,
National Association; LVNV FUNDING, LLC;
AMERICAN EXPRESS BANK, FSB; and
OCCUPANTS OF THE PREMISES,

Defendants;

No. 15CV14566

**NOTICE OF SERVING DEFENDANTS' AMENDED FIRST REQUEST FOR
ADMISSIONS TO PLAINTIFF JPMORGAN
CHASE BANK, NATIONAL ASSOCIATION, ISAOA**
[Pursuant to ORCP 36, 45]

INSTRUCTIONS FOR RESPONDING

All requests are directed to Plaintiff JPMORGAN CHASE BANK, NATIONAL ASSOCIATION. These requests are continuing in character so as to require you to promptly amend or supplement your response if you obtain further material information. Please follow all

DEFENDANTS' AMENDED FIRST REQUEST FOR ADMISSIONS

instructions that are usual and customary in a Request for Admissions. All uses of present-tense verbs such as "is," "has," etc. refer to the signature date of this Request.

FAILURE TO SERVE A WRITTEN ANSWER OR OBJECTION WITHIN THE TIME ALLOWED BY ORCP 45 B WILL RESULT IN ADMISSION OF THE FOLLOWING REQUESTS.

AMENDED REQUEST FOR ADMISSIONS

1. Admit that JPMorgan Chase Bank, N.A. is merely the servicer of the loan.
ADMIT _____ DENY _____
2. Admit that JPMorgan Chase Bank, N.A. did not hold the Note as of the date of filing of the Complaint.
ADMIT _____ DENY _____
3. Admit that the Note had not been endorsed in blank as of the date of filing of the Complaint.
ADMIT _____ DENY _____
4. Admit that the Note has been securitized.
ADMIT _____ DENY _____
5. Admit that neither Layson C. Ungar nor RCO LEGAL, P.C. had any contract or other authority to sign or file the Complaint in this case
ADMIT _____ DENY _____
6. Admit that Plaintiff did not pay consideration for the Note.
ADMIT _____ DENY _____
7. Admit that Defendants did not make a forcible entry into the Property.
ADMIT _____ DENY _____
8. Admit that Defendants are not unlawfully holding the possession of the Property by force.
ADMIT _____ DENY _____
9. Admit that Plaintiff and Defendants do not have a landlord-tenant relationship.
ADMIT _____ DENY _____
10. Admit that shortly after February 1, 2006, the Note was sold to Fannie Mae.

ADMIT _____

DENY _____

11. Admit that Defendants never gave their explicit agreement and authorization for their signature on any document to be transferred electronically.

ADMIT _____

DENY _____

12. Admit that the allonge is not permanently affixed to the Note.

ADMIT _____

DENY _____

13. Admit that no proof of agency is referenced or attached to the Note.

ADMIT _____

DENY _____

14. Admit that Plaintiff has a designated document custodian who holds the original notes for Plaintiff.

ADMIT _____

DENY _____

15. Admit that Plaintiff failed to comply with at least one of the conditions precedent set forth in paragraph 22 of the recorded Deed of Trust, Document # 2006-008568.

ADMIT _____

DENY _____

16. Admit that Chase has collected insurance related to the disputed matter.

ADMIT _____

DENY _____

17. Admit that Plaintiff, in the process of collecting its own debts, sometimes uses the simple name "CHASE."

ADMIT _____

DENY _____

18. Admit that the property was not advertised in the Register-Guard.

ADMIT _____

DENY _____

19. Admit that this lawsuit was not authorized by the relevant Board(s) of Directors.

ADMIT _____

DENY _____

20. Admit that Plaintiff did not lend or risk its money.

ADMIT _____

DENY _____

21. Admit that Plaintiff did not lend or risk its credit.

ADMIT _____

DENY _____

22. Admit that the beneficiary did not request a resolution conference.

ADMIT _____

DENY _____

23. Admit that the Certificate of Compliance (Exhibit 1 attached to the Complaint) was not recorded.

ADMIT _____

DENY _____

24. Admit that the Exhibit 2 attached to the Complaint is a true and correct and complete copy of the original Note as of the date of filing of the Complaint, including all riders, signatures, stamps, allonges and any other ancillary materials.

ADMIT _____

DENY _____

25. Admit that Plaintiff is trying to collect on the Note (Complaint, ¶ 24) and also foreclose on the Property (Complaint, ¶¶ 26-28).

ADMIT _____

DENY _____

Executed by: _____

DATED: April _____, 2017

Dennis Raybould, Defendant
P.O. Box 241
Florence, OR 97439
(541) 997-1311

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. mail and/or email to:

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
c/o Rochelle L. Stanford
ALDRIDGE PITE, LLP
111 SW Columbia St. Suite 925
Portland, OR 97201

Executed by: _____

DATED: April _____, 2017

DEFENDANTS' AMENDED FIRST REQUEST FOR ADMISSIONS

Verified Correct Copy of Original 9/28/2017.

EXHIBIT
C

IN THE CIRCUIT COURT FOR THE STATE OF OREGON
IN AND FOR THE COUNTY OF LANE

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, its successors in interest and/or assigns,)	No. 15CV14566
Plaintiff,)	
vs.)	
DIANE RAYBOULD; DENNIS RAYBOULD; RELIANT FINANCIAL, INC.; CITIBANK, NATIONAL ASSOCIATION Successor by Merger to Citibank (South Dakota), N.A.; DISCOVER BANK; CAPITAL ONE BANK (USA), NATIONAL ASSOCIATION; BANK OF AMERICA, NATIONAL ASSOCIATION Successor by Merger to FIA Card Services, National Association; LVNV FUNDING, LLC; AMERICAN EXPRESS BANK, FSB; and OCCUPANTS OF THE PREMISES.)	
Defendants;)	

PLAINTIFF'S RESPONSE TO DEFENDANTS' AMENDED
FIRST REQUEST FOR
ADMISSIONS TO PLAINTIFF JPMORGAN
CHASE BANK, NATIONAL ASSOCIATION, ISAOA
[Pursuant to ORCP 36, 45]

Pursuant to ORCP 45 B, Plaintiff, JPMorgan Chase Bank, National Association, ("Plaintiff") hereby responds to Defendants' Amended First Request for Admissions to Plaintiff as follows:

AMENDED REQUEST FOR ADMISSIONS

I. Admit that JPMorgan Chase Bank, N.A. is merely the servicer of the loan.

PLAINTIFF'S RESPONSE TO DEFENDANTS' AMENDED FIRST REQUEST FOR ADMISSIONS

ADMIT _____

DENY X

2. Admit that JPMorgan Chase Bank, N.A. did not hold the Note as of the date of filing of the Complaint.

ADMIT _____

DENY X

3. Admit that the Note had not been endorsed in blank as of the date of filing of the Complaint.

ADMIT _____

DENY X

4. Admit that the Note has been securitized.

ADMIT _____

DENY X

5. Admit that neither Layson C. Ungar nor RCO LEGAL, P.C. had any contract or other authority to sign or file the Complaint in this case

ADMIT _____

DENY X

Plaintiff objects to Defendant's Request for Admission #5 for the following reason: Layson C. Ungar and RCO Legal, P.C. are no longer parties to the action. Subject to and without waiving said objections, Plaintiff denies #5.

6. Admit that Plaintiff did not pay consideration for the Note.

ADMIT _____

DENY X

7. Admit that Defendants did not make a forcible entry into the Property.

Plaintiff objects to Defendant's Request for Admission #7 for the following reason: Plaintiff cannot attest to or speak on behalf of Defendants or other parties to this action. Plaintiff lacks knowledge and information, therefore, Plaintiff cannot admit or deny #7.

8. Admit that Defendants are not unlawfully holding the possession of the Property by force.

Plaintiff objects to Defendant's Request for Admission #8 for the following reason: Plaintiff cannot attest to or speak on behalf of Defendants or other parties to this action. Plaintiff lacks knowledge and information, therefore, Plaintiff cannot admit or deny #8.

9. Admit that Plaintiff and Defendants do not have a landlord-tenant relationship.

ADMIT X DENY

10. Admit that shortly after February 1, 2006, the Note was sold to Fannie Mae.

ADMIT DENY X

11. Admit that Defendants never gave their explicit agreement and authorization for their signature on any document to be transferred electronically.

ADMIT DENY X

Plaintiff objects to Defendant's Request for Admission #11 for the following reason: The purpose of the question is unclear. Pursuant to paragraph 20 of the subject Deed of Trust, the Defendants did agree and authorize that the Note or a partial interest in the Note (together with the security instrument) may be sold one or more times without prior notice to the borrower. Subject to said paragraph in the Deed of Trust, and without waiving its objections, Plaintiff denies Defendants' Request for Admission #11.

12. Admit that the allonge is not permanently affixed to the Note.

ADMIT DENY X

13. Admit that no proof of agency is referenced or attached to the Note.
ADMIT _____ DENY X
14. Admit that Plaintiff has a designated document custodian who holds the original notes for Plaintiff.
ADMIT X _____ DENY _____
15. Admit that Plaintiff failed to comply with at least one of the conditions precedent set forth in paragraph 22 of the recorded Deed of Trust, Document # 2006-008568.
ADMIT _____ DENY X
16. Admit that Chase has collected insurance related to the disputed matter.
ADMIT _____ DENY X
17. Admit that Plaintiff, in the process of collecting its own debts, sometimes uses the simple name "CHASE."
ADMIT X _____ DENY _____
18. Admit that the property was not advertised in the Register-Guard.

Plaintiff objects to Defendant's Request for Admission #18 for the following reason: (1) the purpose of the question is unclear and irrelevant to the subject foreclosure matter.

19. Admit that this lawsuit was not authorized by the relevant Board(s) of Directors.
ADMIT _____ DENY X
20. Admit that Plaintiff did not lend or risk its money.

ADMIT _____

DENY X

21. Admit that Plaintiff did not lend or risk its credit.

ADMIT _____

DENY X

22. Admit that the beneficiary did not request a resolution conference.

ADMIT _____

DENY X

Plaintiff denies this request insofar as the Certificate of Compliance speaks for itself.

23. Admit that the Certificate of Compliance (Exhibit I attached to the Complaint) was not recorded.

ADMIT X

DENY ..

Plaintiff objects to Defendant's Request for Admission #23 for the following reason: (1) the Certificate of Compliance is not required to be recorded in an Oregon State judicial foreclosure action. Subject to and without waiving said objection, Plaintiff admits that the Certificate of Compliance was not recorded.

24. Admit that the Exhibit 2 attached to the Complaint is a true and correct and complete copy of the original Note as of the date of filing of the Complaint, including all riders, signatures, stamps, allonges and any other ancillary materials.

ADMIT X

DENY ..

Plaintiff admits to Defendants' Request for Admission #24 noting the qualification that the copy of the Note attached to Plaintiff's Complaint has one (1) swirl mark on it. However, the original Note scanned in Plaintiff's system on or about March 10, 2015 shows there is a swirl mark and a bullseye stamp on the front page. All other aspects of the original Note, including

all riders, signatures, stamps, allonges, ancillary materials, are the same as Exhibit 2 attached to the Complaint.

25. Admit that Plaintiff is trying to collect on the Note (Complaint, ¶ 24) and also foreclose on the Property (Complaint, ¶¶ 26-28).

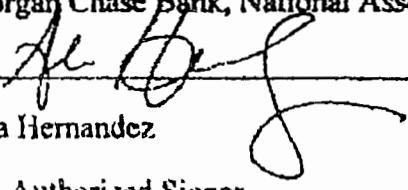
ADMIT X

DENY _____

I HEREBY AFFIRM THAT THE ABOVE FACTUAL STATEMENTS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT I UNDERSTAND IT IS MADE FOR USE AS EVIDENCE IN COURT AND IS SUBJECT TO PENALTY FOR PERJURY.

Date: May 8, 2017

JPMorgan Chase Bank, National Association

By: 

Alicia Hernandez

Title: Authorized Signer

No. 15CV14566

6

PLAINTIFF'S RESPONSE TO DEFENDANTS' AMENDED FIRST REQUEST FOR ADMISSIONS

Dennis Raybould
Diane Raybould
P.O. Box 241
Florence, OR 97439
(541) 997-1311

Verified Correct Copy of Original 9/28/2017.

**IN THE CIRCUIT COURT FOR THE STATE OF OREGON
IN AND FOR THE COUNTY OF LANE**

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, its successors in interest and/or
assigns, } No. 15CV14566

Plaintiff, }

v.

DIANE RAYBOULD; DENNIS RAYBOULD;
RELIANT FINANCIAL, INC.; CITIBANK,
NATIONAL ASSOCIATION Successor by
Merger to Citibank (South Dakota), N.A.;
DISCOVER BANK; CAPITAL ONE BANK
(USA), NATIONAL ASSOCIATION; BANK
OF AMERICA, NATIONAL ASSOCIATION
Successor by Merger to FIA Card Services,
National Association; LVNV FUNDING, LLC;
AMERICAN EXPRESS BANK, FSB; and
OCCUPANTS OF THE PREMISES,

Defendants;

DIANE RAYBOULD; DENNIS RAYBOULD,

Counter-Plaintiffs,

v.

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, its successors in interest and/or
Assigns,

Counter-Defendant,

DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

EXHIBIT E

for such refusal to produce, and identify the document in question with sufficient particularity that it may be the subject of a motion to compel.

8. Unless words or terms have been given a specific definition herein (e.g., "relating to" or "document"), each word or term used herein shall be given its usual and customary dictionary definition except where such words have specific custom and usage, in which event they shall be interpreted in accordance with such usual custom and usage definition of which you are aware. As used herein, "and" shall be construed to mean "or" and vice versa, and each singular shall be construed to include its plural, and vice versa, where the effect of such construction is to broaden the request.

9. Each request seeks information available to Plaintiff, its attorneys or agents, and all persons acting on their behalf. Accordingly, as used herein, the terms "Plaintiff", "you" and "your" also include Plaintiff's attorneys and agents, and all persons acting on their behalf.

10. All documents should be produced complete with all exhibits, allonges, addenda and attachments.

REQUEST FOR PRODUCTION

1. Produce the original Note for inspection.
2. A certified copy of the actual Note, notarized, showing the date the certified copy was made and the name of the person who was in possession when the notary certified the copy.
3. All corporate resolutions and other documents showing whether Linda J. Jones was Vice President of Chase Bank USA, N.A. on September 27, 2011.
4. All corporate resolutions, Power(s) of Attorney and other documents showing whether Linda J. Jones was authorized to sign the Corporate Assignment (Lane County Recording # 2012-007841).
5. All documents identifying the "good and valuable consideration" referred to in the Corporate Assignment.
6. All other documents relating to the Corporate Assignment.
7. All "General Ledger" accounting entries related to the disputed transaction, showing changes to Assets, Liabilities and Owners' Equity.

ALDRIDGE | PITE
LLP

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New Mexico • New York • Oregon • Texas • Utah • Washington

March 14, 2017

Dennis Raybould
PO Box 241
Florence, OR 97439

Re:

Raybould, Diane & Dennis
Case No.: 15CV14566
Our File: 000365-083715.001

Mr. Raybould:

Enclosed please find Plaintiff's Response to your first Request for Production, as well as production documents Bates labelled RAYBOULD000001 – 170.

Very truly yours,

/s/ Brett Weaver

Brett A. Weaver
Paralegal
(503) 345-9855
bweaver@aldridgepite.com

Enclosures

4375 Jutland Drive
P.O. Box 17933
San Diego, CA 92177-0933
(858) 750-7600
www.aldridgepite.com

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF LANE

JPMORGAN CHASE BANK, NATIONAL
ASSOCIATION, ITS SUCCESSORS IN
INTEREST AND/OR ASSIGNS,

12 Plaintiff,

13 v.

14 DIANE RAYBOULD; DENNIS
15 RAYBOULD; RELIANT FINANCIAL, INC.;
16 CITIBANK, NATIONAL ASSOCIATION
17 SUCCESSOR BY MERGER TO CITIBANK
(SOUTH DAKOTA), N.A.; DISCOVER
18 BANK; CAPITAL ONE BANK (USA),
19 NATIONAL ASSOCIATION; BANK OF
20 AMERICA, NATIONAL ASSOCIATION
SUCCESSOR BY MERGER TO FIA CARD
SERVICES, NATIONAL ASSOCIATION;
LVNV FUNDING, LLC; AMERICAN
EXPRESS BANK, FSB; AND OCCUPANTS
OF THE PREMISES,

21 Defendants.

Case No. 15CV14566

PLAINTIFF'S RESPONSES TO
DEFENDANTS' FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS

22 PROPOUNDING PARTY: DEFENDANTS DIANE RAYBOULD AND DENNIS
23 RAYBOULD ("Defendants")

24 RESPONDING PARTY: JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, ITS
25 SUCCESSORS IN INTEREST AND/OR ASSIGNS ("Plaintiff" or "Responding Party")

26 Page 1 - PLAINTIFF'S RESPONSES TO DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Aldridge Pitt, LLP
111 SW Columbia Street, Suite 950
Portland, OR 97201
(858) 750-7600

Verified Correct Copy of Original 9/28/2017.

RESPONSES TO REQUEST FOR PRODUCTION

2 | **REQUEST FOR PRODUCTION NO. 1:** Produce the original Note for inspection.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:** Plaintiff's counsel is in the process
4 of obtaining the original Note from Plaintiff, and agrees to make it available for inspection
5 between the parties at a mutually agreeable time and location.

6 **REQUEST FOR PRODUCTION NO. 2:** A certified copy of the actual Note, notarized,
7 showing the date the certified copy was made and the name of the person who was in possession
8 when the notary certified the copy.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:** Plaintiff objects to this request as
10 unduly burdensome, and seeking documents that are irrelevant or that will not lead to the
11 discovery of admissible evidence. Subject to and without waiving these objections, Plaintiff
12 produces a copy of the Note.

13 **REQUEST FOR PRODUCTION NO. 3:** All Corporate resolutions and other documents
14 showing whether Linda J. Jones was Vice President of Chase Bank USA, N.A. on September 27,
15 2011.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:** Plaintiff objects to this request as
17 overly broad, unduly burdensome, vague, harassing, and seeking documents that are irrelevant or
18 that will not lead to the discovery of admissible evidence.

19 **REQUEST FOR PRODUCTION NO. 4:** All corporate resolutions, Power(s) of Attorney and
20 other documents showing whether Linda J. Jones was authorized to sign the Corporate
21 Assignment (Lane County Recording #2012-007841).

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:** Plaintiff objects to this request as
23 overly broad, unduly burdensome, vague, harassing, and seeking documents that are irrelevant or
24 that will not lead to the discovery of admissible evidence.

25 **REQUEST FOR PRODUCTION NO. 5:** All documents identifying the "good and valuable
26 consideration" referred to in the Corporate Assignment.

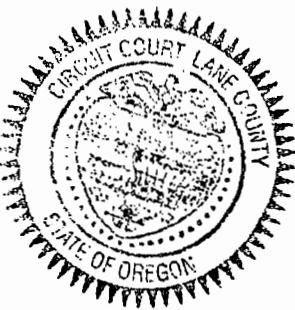
Page 4 — PLAINTIFF'S RESPONSES TO DEFENDANTS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

Aldridge Pitt, LLP
111 SW Columbia Street, Suite 950
Portland, OR 97201
(858) 750-7600

CERTIFIED TO BE A TRUE COPY OF THE
ORIGINAL DOCUMENT CONSISTING OF
41 PAGES, WHICH IS FILED IN
THIS OFFICE AND OF WHICH I AM THE
LEGAL CUSTODIAN.

DATED 11/2/2020

Circuit Court
Lane County, Oregon
By SL



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date last written below, a true and correct copy of this document was furnished via facsimile and/or U.S. mail and/or email to:

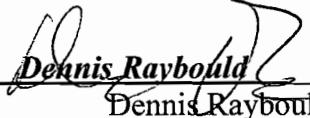
JPMorgan Chase Bank, N.A.
c/o KEVIN H. KONO, OSB #023528
c/o ASHLEE AGUIAR, OSB #171940
Davis Wright Tremaine LLP
1300 S.W. Fifth Avenue, Suite 2400
Portland, Oregon 97201-5610

JPMorgan Chase Bank, N.A.
c/o FREDERICK B. BURNSIDE, OSB #096617
920 Fifth Avenue, Suite 3300
Seattle, Washington 98104-1610

Rushmore Loan Management Services, LLC.
c/o STANTON SHELBY, OSB #044151
ALDRIDGE PITE LLP
121 SW Columbia Ave. Suite 950
Portland OR 97201

US Bank N.A. Not in its Individual
Capacity but Solely as Trustee for the
RMAC Trust, Series 2016-CTT, whose
address is 60 Livingston Avenue, St. Paul
MN 55107-2292
c/o STANTON SHELBY, OSB #044151
ALDRIDGE PITE LLP
121 SW Columbia Ave. Suite 950
Portland OR 97201

DATED: January 21, 2020

/s/ 
Dennis Raybould

